

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

DOWNTOWN MUSIC PUBLISHING LLC,  
OLE MEDIA MANAGEMENT, L.P., BIG  
DEAL MUSIC, LLC, CYPMP, LLC, PEER  
INTERNATIONAL CORPORATION, PSO  
LIMITED, PEERMUSIC LTD., PEERMUSIC  
III, LTD., PEERTUNES, LTD., SONGS OF  
PEER LTD., RESERVOIR MEDIA  
MANAGEMENT, INC., THE RICHMOND  
ORGANIZATION, INC., ROUND HILL  
MUSIC LLC, THE ROYALTY NETWORK,  
INC., and ULTRA INTERNATIONAL MUSIC  
PUBLISHING, LLC,

Plaintiffs and Counterclaim  
Defendants, and

DEVON MUSIC, INC., ESSEX MUSIC, INC.,  
ESSEX MUSIC INTERNATIONAL, INC.,  
FOLKWAYS MUSIC PUBLISHERS, INC.,  
HAMPSHIRE HOUSE PUBLISHING CORP.,  
HOLLIS MUSIC, INC., LUDLOW MUSIC,  
INC., MELODY TRAILS, INC., MUSICAL  
COMEDY PRODUCTIONS, INC., PALM  
VALLEY MUSIC, LLC, WORDS & MUSIC,  
INC., GREENSLEEVES PUBLISHING  
LIMITED, ME GUSTA MUSIC, LLC, ROUND  
HILL MUSIC LP, STB MUSIC, INC., and  
TUNECORE, INC.,

Plaintiffs, and

NATIONAL MUSIC PUBLISHERS'  
ASSOCIATION, INC.,

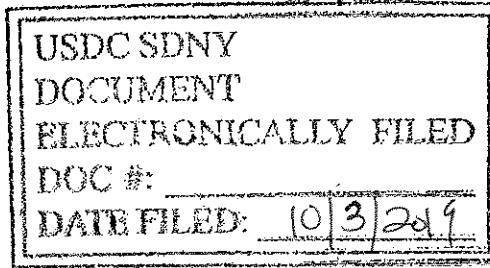
Counterclaim Defendant,

v.

PELOTON INTERACTIVE, INC.,

Defendant and Counterclaim  
Plaintiff.

No. 19 CV 02426 (DLC)



**JOINT [PROPOSED] AMENDED SCHEDULING ORDER**

Plaintiffs Downtown Music Publishing LLC, Anthem Entertainment L.P. (f/k/a Sole Media Management, L.P.), Big Deal Music, LLC, CYPMP, LLC, doing business as Pulse Music Group, Peer International Corporation, PSO Limited, Peermusic Ltd., Peermusic III, Ltd., Peertunes, Ltd., Songs of Peer, Ltd., Greensleeves Publishing Limited, Me Gusta Music, LLC, Reservoir Media Management, Inc., The Richmond Organization, Inc., Devon Music, Inc., Essex Music, Inc., Essex Music International, Inc., Folkways Music Publishers, Inc., Hampshire House Publishing Corp., Hollis Music, Inc., Ludlow Music, Inc., Melody Trails, Inc., Musical Comedy Productions, Inc., Palm Valley Music, LLC, Words & Music, Inc., Round Hill Music LLC, Round Hill Music LP, The Royalty Network, Inc., STB Music, Inc., TuneCore, Inc. and Ultra International Music Publishing, LLC (collectively, the “Publishers”), Counterclaim Defendant National Music Publishers’ Association, Inc. (“NMPA”) and Defendant Peloton Interactive, Inc., by and through their undersigned attorneys, hereby submit the following proposed amended Scheduling Order.

**A. Proposed Discovery Plan**

- 1. Close of Fact Discovery:** Fact discovery will close on March 6, 2020.
- 2. Expert Reports Due:** Expert reports and disclosure of expert testimony conforming to the requirements of Rule 26(a)(2)(B) by the party bearing the burden on an issue will be due on April 10, 2020.
- 3. Rebuttal Expert Reports Due:** Identification of rebuttal experts and disclosure of their expert testimony will be due on May 15, 2020.
- 4. Close of Expert Discovery:** Expert discovery will close on June 12, 2020.

**5. Dispositive Motions Due:** Any motion for summary judgment will be served by July 3, 2020. Any opposition will be served by July 24, 2020. Any reply will be due by August 7, 2020.

**6. Joint Pretrial Order:** In the event no dispositive motion is filed, a Joint Pretrial Order will be filed by July 3, 2020.

As described in greater detail in this Court's Individual Practices in Civil Cases, the following documents must be filed with the Pretrial Order: Voir Dire, Requests to Charge and a Memorandum of Law addressing all questions of law expected to arise at trial. Any responsive papers are due one week thereafter. Counsel will provide the Court with two (2) courtesy copies of all pretrial documents at the time of filing.

Dated: New York, New York  
October 2, 2019

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*Attorneys for Peloton Interactive, Inc.*

IT IS SO ORDERED this \_\_\_ day of October, 2019

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The Honorable Denise Cote  
United States District Judge